

RITUALS AND DOCUMENTS OF MARRIAGE AND
DIVORCE FOR SAME-SEX COUPLES

by

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Dedicated in memory of Rabbi Simchah Roth, z"l

This paper was approved on May 31, 2012 by a vote of 15 in favor, none opposed and one abstaining. Voting in favor: Rabbis David Hoffman, Aaron Alexander, Miriam Berkowitz, Adam Kligfeld, Gail Labovitz, Jonathan Lubliner, Jeremy Kalmanofsky, Elliot Dorff, Jane Kanarek, Pamela Barmash, Avram Reisner, Elie Kaplan Spitz, Susan Grossman, Daniel Nevins, and David Booth. Abstaining: Rabbi Amy Levin.

Section I: Introduction

In our responsum, "[Homosexuality, Human Dignity and Halakhah](#)," which was adopted by a majority vote of the CJLS on December 6, 2006, we wrote the following about the recognition of same-sex relationships:

We favor the establishment of committed and loving relationships for gay and lesbian Jews. The celebration of such a union is appropriate with blessings over wine and *sheheheyanu*, with psalms and other readings to be developed by local authorities....Yet can these relationships be recognized under the rubric of *kiddushin* (Jewish marriage)? Does their dissolution require a ritual of *gerushin* (divorce)? What format and force would such rituals require? These are complicated and controversial questions that deserve a separate study. We have no objection to informal rituals of celebration for gay couples, including the elements mentioned above, but we are not able in this responsum to address the many halakhic questions surrounding gay marriage. Our paper does not provide for rituals of *kiddushin* for gay and lesbian couples.

We have been asked to provide examples of ceremonies and documents of commitment and dissolution of same sex relationships that conform to our paper's criteria, and we are pleased to do so here.¹ Having inquired among rabbis from various points on the contemporary Jewish spectrum about

¹ We wish to thank our colleagues on the CJLS and in the rabbinate for their assistance in this project. We also thank JTS rabbinical students Guy Austrian, Aaron Weininger, Alex Braver, Margaux Buck-Yael and Amichai Lau-Lavie for their helpful comments, which elicited substantial revisions and improved our work.

such ceremonies, we recognize that there is a great variety available. We have incorporated materials from some of them, but others do not conform to the criteria of our own responsum. This paper will clarify the rationale behind our parameters for such rituals and will provide two wedding ceremonies as well as documents for marriage and divorce that are compatible with our responsum.

The traditional ceremony of *kiddushin* is said to be *k'dat Moshe v'Yisrael*, according to the laws of Moses and Israel.² We acknowledged in our responsum that same-sex intimate relationships are comprehensively *banned* by classical rabbinic law, yet our *teshuvah* cited the oft-repeated halakhic principle, *gadol k'vod habriot shedoheh lo ta'aseh shebaTorah*, “Great is the demand of human dignity in that it supersedes a negative principle of Torah.”³ On this basis, and on the strong scientific evidence we cited that current discriminatory attitudes toward gay men and lesbians do indeed undermine their dignity, evidenced by their much higher rates of suicide,⁴ we concluded that for observant gay and lesbian Jews who would otherwise be condemned to a life of celibacy or secrecy, their human dignity requires suspension of the *rabbinic* level prohibitions so that they may experience intimacy and create families recognized by the Jewish community. For this reason we wrote in favor of the creation of ceremonies of recognition of loving, exclusive, and committed same-sex partnerships. We acknowledge that these partnerships are distinct from those discussed in the Talmud as “according to the law of Moses and Israel,” but we celebrate them with the same sense of holiness and joy as that expressed in heterosexual marriages.⁵

Because this appendix substantially extends the concepts of our original responsum in crafting ceremonies for gay marriage and divorce, we have decided to bring it back to the CJLS for discussion and vote so that it may benefit from our movement’s collective rabbinic wisdom and authority. Our model ceremonies are intended to give guidance to colleagues while still providing room for rabbinic creativity in officiating at these events. We wish to acknowledge the work of our colleagues, Rabbis Simchah Roth z”l, Jeremy Kalmanofsky and Gordon Tucker, who have developed ceremonies and documents which served as outstanding precedents for our own materials.

² Tosefta, *Ketubot* 4:9; Yerushalmi, *Ketubot* 29a.

³ B. *Berakhot* 19b; B. *Shabbat* 81b, 94b; B. *Eruvin* 41b; B. *Megillah* 3b; B. *Menahot* 37b.

⁴ For a summary of recent research on the rates of suicide rates among LGBT teenagers in comparison to heterosexual teenagers, see Suicide Prevention Resource Center, *Suicide Risk and Prevention for Lesbian, Gay, Bisexual, and Transgender Youth* (Newton, MA: Education Development Center, Inc., 2008), pp. 14-16, http://www.sprc.org/sites/sprc.org/files/library/SPRC_LGBT_Youth.pdf (accessed May 21, 2012). All of the recent research supports the original findings that suicides among LGBT youth are three to four times the rate among their heterosexual peers.

⁵ As rabbinic interpreters of *halakhah*, we believe that our ruling is an authentic expression of *דת משה וישראל*, the laws of Moses and Israel. That said, we realize that the model of ceremony that we here offer is discontinuous with the model created by our ancient rabbis, and that it is not yet established and accepted by the majority of rabbis in our time.

One of our first challenges was in establishing nomenclature for these rituals.⁶ Some American states and foreign countries have recognized same-sex civil unions or domestic partnerships but reserved the language of marriage for heterosexual couples.⁷ Others have moved to full equalization of legal status and terminology for gay couples, but many states have refused all such recognition. Likewise among rabbis, some prefer to differentiate the terminology of gay partnerships from traditional marriage, while others insist that gay couples be given the same status and title as heterosexual couples. Having considered arguments in both directions, we are convinced that the nomenclature of gay marriage and divorce should be equal and clearly stated as such, not obscured in ambiguous language. Thus, even though the halakhic mechanism for binding the couple together is distinct from the traditional model of *kiddushin*, the result is still a Jewish marriage. The status of this relationship in civil law will depend upon the jurisdiction within which the ceremony occurs and the reciprocal recognition rules in the state where the couple resides. Performance of the Jewish wedding ceremony is not to be considered a civil marriage in those jurisdictions which prohibit same-sex marriage.

At the first CJLS reading of this appendix in November 2011 it emerged that some colleagues preferred that gay marriage ceremonies resemble the traditional *huppah* ceremony as closely as possible, while other colleagues recommended that this new ceremony be differentiated in a variety of ways. All agreed in wanting the gay marriage ceremony to receive full recognition from our community, but some felt that this could be accomplished better by utilizing a distinct liturgical format. We recognize this as a good-faith debate with the shared goal of strengthening stable and loving unions for both gay and straight couples. Indeed, conversations with gay and lesbian colleagues have confirmed that some of them prefer rituals that follow traditional formats as closely as possible, while others prefer more distinction, and all welcome the availability of options.

As a result, we are offering two model ceremonies, one that closely follows the traditional Jewish wedding liturgy, and one that starts fresh. Each ceremony accomplishes the following tasks, which we consider to be essential to any Jewish marriage ceremony:

- a. The couple is welcomed, and God's blessings are requested for their marriage.
- b. Traditional symbols of celebration—such as wine—and of commitment—such as rings—are used to add significance to this moment.⁸
- c. A document of “covenant” committing the couple to live a life of mutual fidelity and responsibility is read and witnessed. This covenant is affirmed at the rings ceremony and constitutes the halakhic mechanism for binding the couple together as a family.

⁶ This has also been a challenge for those countries and American states that have modified their marriage laws to recognize same-sex unions. All major English dictionaries have modified their definition of marriage to include same-sex couples. See http://en.wikipedia.org/wiki/Same-sex_marriage.

⁷ See http://en.wikipedia.org/wiki/Civil_union.

⁸ The association of wine with song is found in B. *Brakhot* 35a. Extending this concept to weddings, see comments of Raba''d to B. *Brakhot* 39a.

- d. Blessings thanking God for this sacred moment of loving covenant are recited, and the couple's relationship is linked to the broader narrative of the Jewish people and its redemption.

These two wedding ceremonies, like the *kiddushin* ceremony developed in Jewish tradition for heterosexual couples, emphasize values such as faithfulness, compassion, and financial responsibility. They employ traditional symbols of love and marriage, speak to the couple's commitment to living a life infused with study and devotion, and ask for God's blessing upon their union. In all of these ways these ceremonies communicate that the family established by the couple has the potential to become a *bayit ne'eman b'Yisrael*, a faithful household in Israel. They accomplish this with a mechanism distinct from the traditional *kiddushin*, but they reflect the *kedushah* or holiness in the covenant that now binds the couple together as equal partners.

Our hesitations about calling for same-sex "*kiddushin*" are threefold: First, the ancient model of *kiddushin*, which may be translated either as *sanctification* or *designation*, is an inherently non-egalitarian model of marriage.⁹ The original concept from antiquity, when polygamy was permitted, was for a man to designate a woman for himself in a one-way exclusive arrangement. *She was exclusively his, but he was not exclusively hers.* Already 1,000 years ago the decree of Rabbenu Gershom began to change this reality by banning polygamy in the Ashkenazi community. Conservative wedding ceremonies have for many decades emphasized an egalitarian ideal in the exchange of rings, have modified the *ketubah* text to include commitments from the woman,¹⁰ and have made use of poetic verses such as "*Ani l'dodi v'dodi li*" ("I am my beloved's, and my beloved is mine"),¹¹ which emphasize mutual devotion in love and marriage. Still, we have worked within the boundaries of the established rituals and texts so that our weddings can fulfill traditional halakhic requirements even as they express our egalitarian values.

While some heterosexual couples may see in these new models of *brit* (covenant) and *shutfut* (partnership) for same-sex couples a basis for abandoning the traditional model of *kiddushin* (sanctification), Conservative Judaism has taught us to respect ancient liturgy and to minimize modifications of text, focusing instead on interpretive evolution. We no longer see the traditional Jewish wedding as hierarchical. It is truly a meeting of equals both in substance and in style. We realize that our conviction does not settle the matter of egalitarian heterosexual marriage ceremonies for some rabbis and couples, and we welcome additional studies on the subject,¹² but that lies outside the focus

⁹ Our colleague Rabbi Gail Labovitz examines the development of the rabbinic terminology of "*kiddushin*" (betrothal) and its relationship to the "acquisition" of M. *Kiddushin* 1:1 and concludes that the model of marriage remained hierarchical in classical rabbinic sources. See her article, "The Language of the Bible and the Language of the Rabbis: A Linguistic Look at *Kiddushin*, Part 1," in *Conservative Judaism* 63:1 (Fall 2011) 25-42, and chapter two of her book, *Marriage and Metaphor: Constructions of Gender in Rabbinic Literature* (Lexington Books, 2009).

¹⁰ רצבייאת מרת פלוגית כלה דא והות ליה לאנתו לאשתתופי עמיה בצוותא לקיימא ית ביתיהו באהבה ובאחזה בשלום וברעות כמנהגא דנשי יהודאן וכו'.

¹¹ Song of Songs 6:3.

¹² See "The Choices of Marriage: One Couple's Attempt to Create an Egalitarian Jewish Wedding Ceremony..." by Jill Jacobs and Guy Austrian in *Conservative Judaism* 63:3 (Spring 2012).

of our responsum. Because for gay couples there is no established wedding liturgy, we have used this opportunity to create a new ritual that uses the egalitarian language of partnership from the outset.

A second source of hesitation simply to apply the *kiddushin* model to same-sex couples flows from the previous one. According to Jewish law, a woman who has been designated as a wife by a Jewish man requires a Jewish writ of divorce (*get*) from him in order to terminate the marriage and marry again. Although this practice is mandated by a specific passage in the Torah (Deut. 24:1-2),¹³ it has been the source of great suffering in many Jewish communities, because a woman whose husband refuses her a Jewish divorce even after a civil divorce remains *agunah*, “chained” to him and unable to remarry. The Conservative movement has taken substantial measures to address this inequity: 1) We do not allow a Jewish man who has failed to provide a *get* to his prior Jewish wife to remarry until he does so. 2) We use the Lieberman clause to the *ketubbah* to secure a prior commitment from the two partners to participate in a *get* in the event of a civil divorce, or a pre-nuptial agreement that would annul the marriage in the event of civil divorce with no *get* within six months. 3) In the absence of such agreements by the parties to the marriage, our Joint Beit Din arranges for *hafka’at kiddushin* (annulment of marriage) to retroactively nullify the marriage so that the woman can remarry even without a *get*.¹⁴

Finally, the very language of the traditional Jewish wedding liturgy and its documents, and likewise with the traditional Jewish divorce ceremony and its documents, is gender specific. Neither fits same-sex couples. Because of these considerations we have decided to create a new halakhic structure for same-sex unions and separations that is fully egalitarian and that avoids the severe liabilities of the *get*. Our *p’sak din* (legal ruling) in the 2006 responsum was intended to harmonize classical halakhic norms regarding sexuality with contemporary insights about sexual identity and the impact of the *status quo ante* upon Jews who are gay and lesbian. Just as our halakhic conclusion grew out of classical halakhic sources, so too should our ceremonies and documents grow out of the sources of Jewish tradition.

The marriage document that we have designed is called the *Covenant of Loving Partners* ברית אהובות אהובים.¹⁵ A covenant is an agreement to create a lasting relationship in which each party brings certain assets and accepts specific responsibilities towards the other. This covenant establishes a mutual acceptance of sexual fidelity as well as financial responsibility for each partner’s welfare. It religiously,

¹³ דברים פרק כד (א) כִּי יִקַּח אִישׁ אִשָּׁה וּבָעֵלָהּ וְהָיָה אִם לֹא תִמְצָא חֵן בְּעֵינָיו כִּי מְצָא בָּהּ עֲרֹת דְּבָר וְכָתַב לָהּ סֵפֶר קְרִיאת וְנָתַן בְּיָדָהּ וְשָׁלְחָהּ מִבֵּיתוֹ: (ב) וַיֵּצֵאָהּ מִבֵּיתוֹ וְהָלְכָה וְהָיְתָה לְאִישׁ אֲחֵר:

Deuteronomy 24:1-2 (NJPS trans.). *A man takes a wife and possesses her. She fails to please him because he finds something obnoxious about her, and he writes her a bill of divorcement, hands it to her, and sends her away from his house. She leaves his household and becomes the wife of another man....*

¹⁴ This is based on the Talmudic principle, כל דמקדש אדעתא דרבנן מקדש, ואפקעינהו רבנן לקידושי מינה, “whoever designates/sanctifies [a bride] does so by consent of the rabbis, and the rabbis may cancel his designation” (B. *Ketubbot* 3a; see also B. *Yevamot* 90b, B. *Gittin* 33a and 73a).

¹⁵ Rachel Adler first used this term and developed her own ceremony and documents. While we have not used her materials directly, we share her concern at not simply adapting *kiddushin* for gay and lesbian couples. See chapter 5 in Rachel Adler, *Engendering Judaism: An Inclusive Theology and Ethics* (The Jewish Publication Society, Philadelphia, 1998).

legally and morally binds the couple together in marriage. Following the template of Rachel Adler, our ceremonies have each member of the couple perform a *kinyan* (acquisition) not of the other person, but of the partnership established between them as stipulated in the covenant. This is called קנין סודר in the classical sources.¹⁶

Although the covenant indicates the couple's commitment with the hope that their marriage will be permanent, Judaism has never assumed that every marriage will succeed. As such, we have created a document and ceremony for the formal dissolution (*hafarah*) of same-sex marriages based on the *Covenant of Loving Partners* (p.15). We have also composed a document to be signed prior to the wedding ceremony that will function as a pre-nuptial agreement in order to eliminate halakhic impediments to divorce should the marriage fail and the couple be unable to arrange for the ceremony of dissolution.

The Rabbinical Assembly maintains standards of rabbinic practice regarding marriage, and we shall apply the same standards to same-sex couples. Conservative/Masorti rabbis and cantors (bound by parallel policies of the Cantors Assembly) may perform weddings only for couples in which each member is Jewish according to the traditional standards of identity and where neither is currently married by either Jewish¹⁷ or civil¹⁸ law to another person.

Section II: Marriage Ceremonies

Ceremony A: *Huppah* and Seven Blessings

This ceremony is modeled closely on the traditional Jewish ceremony for heterosexual marriage while using a legal mechanism that is distinct from *kiddushin*. Our goal is to replicate the powerful imagery of the traditional wedding ceremony within a distinctive legal structure of covenant, *berit*, rather than *kiddushin*. The ring declaration is a statement of sacred partnership, not of acquisition. The seven traditional blessings, as found in B. *Ketubbot* 8a, express our gratitude to God for the creation of these individuals and our prayers that their relationship be blessed with happiness and peace. We have adapted the language of these texts to accommodate the gender of the parties,¹⁹ but we have avoided

¹⁶ See B. BM 46a.

¹⁷ Each partner in a Jewish marriage must be either born to a Jewish mother or converted with the rituals of *milah* and *tevilah* before a rabbinic court. If either has been previously married, whether to a man or to a woman who is Jewish and is still alive, then they must provide or secure a Jewish divorce, nullification (*hafka'ah*), or dissolution (*hafarah*) before a Conservative rabbi will be allowed to officiate at the new marriage.

¹⁸ For the foreseeable future civil law regarding gay marriage and divorce is likely to remain unsettled. Wherever civil jurisdictions make it possible for same sex couples to marry or to enact other forms of civil partnership, Conservative rabbis should not perform religious ceremonies in the absence of such civil arrangements. Wherever any marriage or other form of civil partnership was enacted by either member of the couple in a previous relationship, Conservative rabbis should not perform religious ceremonies for this couple until the prior arrangement has been legally dissolved. Both of these standards match our practice with heterosexual couples.

¹⁹ The blessing יוצר האדם, "creator of humanity" is a gender-neutral expression despite the traditional translation of אדם as "man." Genesis 1:27 says, וַיִּבְרָא אֱלֹהִים אֶת הָאָדָם בְּצַלְמוֹ בְּצֶלֶם אֱלֹהִים בָּרָא אֹתוֹ זָכָר וּנְקֵבָה בָּרָא אֹתָם.

creating new blessing formulas, relying instead on established blessings such as “*ha-tov v’ha-meitiv*”²⁰ and “*she-heheyanu*” for the paragraph closings.

Prior to the public ceremony, the couple meets with their rabbi and with two valid Jewish witnesses to sign the pre-nuptial agreement (p.14). The couple is then welcomed to a traditional wedding canopy (*huppah*), and the rabbi uses traditional symbols of Jewish marriage—two cups of wine, rings, the marriage document, and a glass to be broken at the conclusion. This ceremony is presented below first for a female couple and then for a male couple, followed by a gender-neutral English translation:

²⁰ We use this blessing, first found in M. *Brakhot* 9:2, twice. The first time celebrates the formal engagement, while the second celebrates the completion of their marriage.

1. *Huppah* and Seven Blessings Ceremony for a Female Couple

Welcoming prayers:

- בְּרוּכוֹת הַבָּאוֹת בְּשֵׁם יי, בְּרַכּוּנוֹן מִבֵּית יי.²¹
- מִי אֲדִיר עַל הַפֶּל, מִי בָרוּךְ עַל הַפֶּל, מִי גָדוֹל עַל הַפֶּל הוּא יְבָרַךְ אֶת הָרַעוֹת הָאֵהוּבוֹת.

The rabbi greets the couple and introduces the ceremony:

- בָּרוּךְ אַתָּה יי, אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם, בּוֹרָא פְּרִי הַגֶּפֶן.
- אֱלֹהֵינוּ וְאֱלֹהֵי אֲבוֹתֵינוּ וְאֲמוֹתֵינוּ הַשְּׂקִיפָה מִמַּעַן קִדְשָׁךְ מִן-הַשָּׁמַיִם וְבָרַךְ אֶת-הָרַעוֹת הָאֵהוּבוֹת הַפּוֹרְתוֹת בֵּינֵינוּ בְּרִית אֵהוּבוֹת. בָּרוּךְ אַתָּה יי הַטוֹב וְהַמְּטִיב.

The couple exchanges rings²² and each declares:

- הֵי-נָא לִי לְבַת-זוּג בְּאֵהָבָה וּבְאַחְוָה, בְּשָׁלוֹם וּבְרַעוּת, בְּעֵינֵי אֱלֹהִים וְאָדָם.

Together they say:

- יְהִי רָצוֹן מִלְפָּנֶיךָ יי אֱלֹהֵינוּ לְכוֹנֵן אֶת בֵּית חַיֵּינוּ וּלְהַשִּׁיב אֶת שְׂכִינָתוֹ בְּתוֹכֵנוּ.

The marriage covenant, ברית אהובות is now read (see p.15), after which קנין סודר is performed with a symbolic object, and the covenant is signed by the witnesses.

The following blessings are recited:

- בָּרוּךְ אַתָּה יי, אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם, בּוֹרָא פְּרִי הַגֶּפֶן:
- בָּרוּךְ אַתָּה יי, אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם, שֶׁהַפֶּל בְּרָא לְכַבוֹדוֹ:
- בָּרוּךְ אַתָּה יי, אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם, יוֹצֵר הָאָדָם:
- בָּרוּךְ אַתָּה יי אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם אֲשֶׁר יָצַר אֶת הָאָדָם בְּצַלְמוֹ, בְּאֵלֶם דְּמוּת תְּבַנִּיתוֹ, וְאָמַר: לֹא-טוֹב הָיִית הָאָדָם לְבַדּוֹ, אֲעֲשֶׂה-לוֹ עֵצָר כְּנֶגְדּוֹ. בָּרוּךְ אַתָּה יי יוֹצֵר הָאָדָם.
- שׁוֹשׁ תְּשִׁישׁ וְתַגֵּל הָעַקְרָה בְּקַבּוּץ בְּנִיָּה לְתוֹכָהּ בְּשִׂמְחָה. בָּרוּךְ אַתָּה יי, מְשַׂמֵּחַ צִיּוֹן בְּבִנְיָה:
- שְׂמֵחַ תְּשַׂמַּח רַעוֹת הָאֵהוּבוֹת כְּשִׂמְחָה יִצְרָךְ בְּגוֹן עֵדוֹן מִקֶּדֶם. בָּרוּךְ אַתָּה יי הַטוֹב וְהַמְּטִיב.
- בָּרוּךְ אַתָּה יי אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם, אֲשֶׁר בְּרָא שְׂשׂוֹן וְשִׂמְחָה, אוֹשֵׁר וּבְרָכָה,²³ גִּילָה, רִנָּה, דִּיצָה וְתוֹדָה, אֵהָבָה וְאַחְוָה וְשָׁלוֹם וְרַעוּת. מְהֵרָה, יי אֱלֹהֵינוּ, יִשְׁמַע בְּעַרְי יְהוּדָה וּבְחֻצוֹת יְרוּשָׁלַיִם, קוֹל שְׂשׂוֹן וְקוֹל שְׂמִיחָה, קוֹל גִּילָה וְקוֹל רִנָּה, קוֹל אֲמָרִים הוֹדוּ לֵי: כִּי-טוֹב כִּי לְעוֹלָם חֲסִדוֹ.²⁴ בָּרוּךְ אַתָּה יי שְׂהַחֲדִיעַ וְקָמַעַי וְהִצַּעַי לְזַמַּן הַזֶּה.

The rabbi offers an additional blessing to the couple:

- אֱלֹהֵינוּ וְאֱלֹהֵי אֲבוֹתֵינוּ וְאֲמוֹתֵינוּ, בְּרַכּוּנוֹ בְּבְרָכָה הַמְּשַׁלֶּשֶׁת בְּתוֹרָה, הַכְּתוּבָה עַל יְדֵי מֹשֶׁה עֲבָדְךָ, הָאֲמוּרָה מִפִּי אֱהָרֹן וּבְנָיו כְּהֻנִּים, עִם קִדְשָׁךְ כְּאֲמוֹר: יְבָרַכְךָ יי וְיִשְׁמְרְךָ. יֵאָר יי פְּנֵיו אֵלֶיךָ וְיַחַנְנֶךָ. יֵשָׂא יי פְּנָיו אֵלֶיךָ וְיִשֵּׂם לְךָ שָׁלוֹם.

The couple breaks a glass, and those present exclaim:

- סָמֵן טוֹב וּמִזָּל טוֹב יְהֵא לָנוּ וּלְכָל יִשְׂרָאֵל!

²¹ The last three words are said only in a synagogue.

²² The rings symbolize mutual devotion, not acquisition, so the declaration does not include *kiddushin*.

²³ These words of celebration are added in order to preserve the traditional meter of the seventh blessing. It is also possible to recite here, כלה וכלה, "bride and bride."

²⁴ Adapted from Jeremiah 33:11 and Psalm 118:1.

2. *Huppah* and Seven Blessings Ceremony for a Male Couple

Welcoming prayers:

- בְּרוּכִים הַבָּאִים בְּשֵׁם יי, בְּרַכְנוּכֶם מִבֵּית יי.²⁵
- מִי אֲדִיר עַל הַכֹּל, מִי בָרוּךְ עַל הַכֹּל, מִי גָדוֹל עַל הַכֹּל הוּא יְבָרַךְ אֶת הָרַעִים הָאֲהוּבִים.

The rabbi greets the couple and introduces the ceremony:

- בְּרוּךְ אַתָּה יי, אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם, בּוֹרֵא פְּרֵי הַגֶּפֶן.
- אֱלֹהֵינוּ וְאֱלֹהֵי אֲבוֹתֵינוּ וְאֲמוֹתֵינוּ הַשְּׂקִיפָה מִמַּעַן קִדְשָׁךְ מִן-הַשָּׁמַיִם וּבָרַךְ אֶת-הָרַעִים הָאֲהוּבִים הַכּוֹרְתִים בֵּינֵיהֶם בְּרִית אֲהוּבִים. בְּרוּךְ אַתָּה יי הַטּוֹב וְהַמְּטִיב.

The couple exchanges rings²⁶ and each declares:

- הֲיִי-נָא לִי לְכוּן-זוּג בְּאַהֲבָה וּבְאַחְוָה, בְּשָׁלוֹם וּבְרַעוּת, בְּעֵינֵי אֱלֹהִים וְאָדָם.

Together they say:

- יְהִי רְצוֹן מִלְפָּנֶיךָ יי אֱלֹהֵינוּ לְכוּנֵן אֶת בֵּית חַיֵּינוּ וּלְהַשִּׁיב אֶת שְׂכִינָתוֹ בְּתוֹכֵנוּ.

The marriage covenant, *is now read* (see p.15), after which קנין סודר *is performed with a symbolic object, and the covenant is signed by the witnesses.*

The following blessings are recited:

- בְּרוּךְ אַתָּה יי, אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם, בּוֹרֵא פְּרֵי הַגֶּפֶן:
- בְּרוּךְ אַתָּה יי, אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם, שֶׁהַכֹּל בְּרָא לְכַבּוֹדוֹ:
- בְּרוּךְ אַתָּה יי, אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם, יוֹצֵר הָאָדָם:
- בְּרוּךְ אַתָּה יי אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם אֲשֶׁר יָצַר אֶת הָאָדָם בְּצַלְמוֹ, בְּצִלְמֵ דְמוּת תְּבַנְיָתוֹ, וְאָמַר: לֹא-טוֹב הָיִיתָ הָאָדָם לְבַדּוֹ, אֲעֲשֶׂה-לוֹ עֵזֶר כְּנֶגְדּוֹ. בְּרוּךְ אַתָּה יי יוֹצֵר הָאָדָם.
- שׁוֹשׁ תְּשִׁישׁ וְתַגַּל הַעֲקָרָה בְּקַבּוּץ בְּנִיָּה לְתוֹכָהּ בְּשִׂמְחָה. בְּרוּךְ אַתָּה יי, מְשַׂמֵּחַ צִיּוֹן בְּבִנְיָה:
- שְׂמֵחַ תְּשַׂמַּח רַעִים הָאֲהוּבִים כְּשִׂמְחָה יִצְיָרָה בְּגוֹן עֵדוֹן מִקִּדְמוֹ. בְּרוּךְ אַתָּה יי הַטּוֹב וְהַמְּטִיב.
- בְּרוּךְ אַתָּה יי אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם, אֲשֶׁר בְּרָא שְׁשׁוֹן וְשִׂמְחָה, אוֹשֵׁר וּבְרָכָה²⁷, גִּילָה, רִנָּה, דִּיצָה וְחֻזְנוּה, אַהֲבָה וְאַחְוָה וְשָׁלוֹם וְרַעוּת. מְהֵרָה, יי אֱלֹהֵינוּ, יִשְׁמַע בְּעָרֵי יְהוּדָה וּבְחֻצוֹת יְרוּשָׁלַם, קוֹל שְׁשׁוֹן וְקוֹל שְׂמִיחָה, קוֹל גִּילָה וְקוֹל רִנָּה, קוֹל אֲמָרִים הוֹדוּ לַיי כִּי-טוֹב כִּי לְעוֹלָם חֲסִדוֹ.²⁸ בְּרוּךְ אַתָּה יי שְׂהַחֲדֵי וְהַחֲדֵי לְזַמַּן הַזֶּה.

The rabbi offers an additional blessing to the couple:

- אֱלֹהֵינוּ וְאֱלֹהֵי אֲבוֹתֵינוּ וְאֲמוֹתֵינוּ, בְּרַכְנוּ בְּבְרָכָה הַמְּשַׁלֶּשֶׁת בְּתוֹרָה, הַפְּתוּכָה עַל יְדֵי מֹשֶׁה עַבְדְּךָ, הָאֲמוּרָה מִפִּי אֲהָרֹן וּבְנָיו כְּהֹנִים, עִם קִדְשָׁךְ כְּאֲמוּרָה: יְבָרְכֶךָ יי וְיִשְׁמְרֶךָ. יָאֵר יי פְּנֵינוּ אֱלֹהֵי וְיַחְנֶנֶךָ. יֵשֵׂא יי פְּנֵינוּ אֱלֹהֵי וְיִשֵּׂם לָךְ שָׁלוֹם.

The couple breaks a glass, and those present exclaim:

- סֶמֶן טוֹב וּמְזֵל טוֹב יְהֵא לָנוּ וּלְכֹל יִשְׂרָאֵל!

²⁵ The last three words are said only in a synagogue.

²⁶ The rings symbolize mutual devotion, not acquisition, so the declaration does not include *kiddushin*.

²⁷ These words of celebration are added in order to preserve the traditional meter of the seventh blessing. It is also possible to recite here, חתן וחזן, "groom and groom."

²⁸ Adapted from Jeremiah 33:11 and Psalm 118:1.

3. Gender-Neutral Translation of *Huppah* and Seven Blessings Ceremony:

Welcoming Prayers:

- May those who enter be blessed in the Name of Adonai. (*If the ceremony is held in a synagogue, the rabbi adds: We bless you from the house of Adonai.*)
- May the One who is supreme in power, blessing, and glory bless these loving companions.

Opening Blessings:

- Praised are You, Adonai our God, who rules the universe, creating the fruit of the vine.
- Our God and God of our Patriarchs and Matriarchs, look down from Your holy abode, from heaven, and bless²⁹ these loving companions who are together creating a Covenant of Lovers. Praised are You, Adonai, who is good and does good.

Ceremony of Covenant:

The couple exchanges rings and each declares:

- Be my covenanted partner, in love and friendship, in peace and companionship, in the eyes of God and humanity.

Together they say:

- May it be Your will, Adonai, our God, to establish our life-long household and to bring Your presence into our lives.

The marriage covenant, B'rit Ahuvim/Ahuvot is now read (see p.15), after which Kinyan Sudar is performed with a symbolic object, and the covenant is signed by the witnesses.

Seven Blessings:

1. Praised are You, Adonai our God, who rules the universe, creating the fruit of the vine.
2. Praised are You, Adonai our God, who rules the universe, whose glory is evident in all of creation.
3. Praised are You, Adonai our God, who rules the universe, Creator of humanity.
4. Praised are You, Adonai our God, who rules the universe, who created humanity in the divine image, who structured us in the image of God, and said, "It is not good for a person to live alone, I will make a fitting helper for each one."³⁰ Praised are You, Adonai, Creator of humanity.
5. May Zion rejoice as her children return to her in joy. Praised are You, Adonai, who causes Zion to rejoice in her children.
6. Grant perfect joy to these loving companions, as You did for Your first human beings in the Garden of Eden. Praised are You, Adonai, who is good and does good.

²⁹ The Hebrew here uses the language of Deuteronomy 26:15.

³⁰ Genesis 2:18.

7. Praised are You, Adonai, our God who rules the universe, who created joy and gladness, happiness and blessing, pleasure and song, delight, laughter, love, harmony, peace, and companionship. Adonai, our God, may there always be heard in the cities of Judah and the streets of Jerusalem voices of joy and gladness, voices of pleasure and song, voices of those who proclaim "Give thanks to Adonai, for God is good, God's faithfulness is eternal."³¹ Praised are You, Adonai, who has kept us alive and sustained us and brought us to this joyous time.

Closing Prayers.

The rabbi offers an additional blessing to the couple:

- Our God, and God of our Patriarchs and Matriarchs, bless us with the threefold blessing written in the Torah by Moses Your servant, and pronounced by Aaron and his descendants, *kohanim*, Your holy people, as it is recorded: "May Adonai bless you and keep you. May Adonai smile on you and be gracious to you. May Adonai turn to you and grant you peace."³²

The couple breaks a glass, and those present proclaim:

- May there be good fortune and good luck for us and all Israel!

Ceremony B: Tallit and Three Blessings

This ceremony is differentiated in several ways from the traditional model of *huppah* and *kiddushin*. Instead of a canopy, the couple is wrapped in a *tallit* to represent the sheltering presence of God. Language of partnership suffuses the text, and three blessings are offered in place of the seven of the traditional heterosexual *nissuin* ceremony and our first model ceremony above. Prior to the public ceremony, the couple meets with the rabbi and with two valid Jewish witnesses to sign the pre-nuptial agreement (p.14), and then the marriage covenant (p.15). In this ceremony there is no wedding canopy (*huppah*); rather, the couple stands with their rabbi before a table containing a *tallit*, the rings, the marriage covenant, and the wine. The ceremony is presented below first for a female couple and then for a male couple, followed by a gender-neutral English translation.

³¹ Psalms 136:1.

³² Numbers 6:22-26.

1. Tallit and Three Blessings Ceremony for a Female Couple

Welcoming prayers:

- בְּרוּכוֹת הַבָּאוֹת בְּשֵׁם יי, בְּרַכְנוּכֵן מִבֵּית יי.³³
- מִי שֶׁבְּרַךְ אֲבוֹתֵינוּ אֲבָרְהָם יִצְחָק וְיַעֲקֹב וְאִמֹתֵינוּ שָׂרָה רַבֵּקָה רַחֵל וְלֵאָה הוּא יְבָרֶךְ אֶת הַרְעוֹת הָאֵהוּבוֹת.

The rabbi greets the couple and introduces the ceremony:

- בְּרוּךְ אַתָּה יי, אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם, בּוֹרָא פְּרִי הַגֶּפֶן.
- אֱלֹהֵינוּ וְאֱלֹהֵי אֲבוֹתֵינוּ וְאִמֹתֵינוּ הַשְּׂקִיפָה מִמַּעוֹן קְדוֹשׁ מִן-הַשָּׁמַיִם וְבָרֶךְ אֶת הַרְעוֹת הָאֵהוּבוֹת הַמְשַׁתַּפּוֹת יַחַד הַיּוֹם בְּשׂוֹתְפוֹת חַיִּים, וְזַכֵּן שְׂתִשְׁבְּנָה לְפָנֶיךָ בְּאַהֲבָה וּבְאַחֻזָּה בְּשָׁלוֹם וּבְרַעוּת. בְּרוּךְ אַתָּה יי הַטּוֹב וְהַמְטִיב.

The couple exchanges rings and each declares:

- הָיִי-נָא לִי שׂוֹתֶפֶת חַיִּי, אֵהוּבָתִי וּמְיֻדָּעָתִי, בְּעֵינֵי אֱלֹהִים וְאָדָם.

Together they say:

- יְהִי רְצוֹן מִלְפָּנֶיךָ יי, אֱלֹהֵינוּ לְכוֹנֵן אֶת בֵּית חַיֵּינוּ וְלְהַשִּׁיב אֶת שְׂכִינְתּוֹ בְּתוֹכֵנוּ.

The couple recites the blessing over the tallit jointly and wraps themselves together into a large tallit (which might be specially prepared for the occasion). The marriage covenant is now read (see p.15).

The following blessings are read:

- בְּרוּךְ אַתָּה יי, אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם, בּוֹרָא פְּרִי הַגֶּפֶן.
- בְּרוּךְ אַתָּה יי, אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם, שֶׁהַכֹּל בְּרָא לְכַבֹּדוֹ.
- בְּרוּךְ אַתָּה יי אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם אֲשֶׁר יִצַּר אֶת הָאָדָם בְּצַלְמוֹ, בְּצִלְמֵי דְמוּת תְּבַנְיָתוֹ, וְאָמַר: לֹא-טוֹב הָיִיתָ הָאָדָם לְבִדּוֹ, אֲעֲשֶׂה לוֹ עֵצָר בְּנִגְדּוֹ. הוֹדוּ לֵי יי כִּי-טוֹב כִּי לְעוֹלָם חֲסִדּוֹ. בְּרוּךְ אַתָּה יי אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם, שֶׁהַחַיִּים וְהַמֵּתִים וְהַמַּעֲשֵׂי לְזִמְן הַנֵּה.

The rabbi may now offer an additional blessing to the couple:

- אֱלֹהֵינוּ וְאֱלֹהֵי אֲבוֹתֵינוּ וְאִמֹתֵינוּ, בְּרַכְנוּ בְּבִרְכָה הַמְשַׁלְשֶׁת בַּתּוֹרָה, הַכְּתוּבָה עַל יְדֵי מֹשֶׁה עֲבָדְךָ, הָאֲמוּרָה מִפִּי אֱהָרֹן וּבְנָיו כְּהֻנִּים, עִם קְדוֹשׁ בְּאֲמוּרָה: יְבָרְכֶךָ יי וְיִשְׁמְרֶךָ. יָאֵר יי פָּנָיו אֵלֶיךָ וְיַחַנְנֶךָ. יֵשֵׂא יי פָּנָיו אֵלֶיךָ וְיִשֵּׂם לְךָ שָׁלוֹם.

The couple breaks a glass, and those present exclaim:

- סֶמֶן טוֹב וּמְזֵל טוֹב יְהִי לָנוּ וּלְכֹל יִשְׂרָאֵל!

³³The last three words are said only in a synagogue.

2. Tallit and Three Blessings Ceremony for a Male Couple

Welcoming prayers:

- בְּרוּכִים הַבָּאִים בְּשֵׁם ד', בְּרַכְנוּכֶם מִבֵּית ד'.³⁴
- מִי שֶׁבֵרַךְ אֲבוֹתֵינוּ אֲבָרְהָם יִצְחָק וְיַעֲקֹב וְאִמֹתֵינוּ שָׂרָה רַבְקָה רְחֵל וְלֵאָה הוּא יְבָרֶךְ אֶת הַרְעִים הָאֵהוּבִים.

The rabbi greets the couple and introduces the ceremony:

- בְּרוּךְ אַתָּה יי, אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם, בּוֹרָא פְּרִי הַגֶּפֶן.
- אֱלֹהֵינוּ וְאֱלֹהֵי אֲבוֹתֵינוּ וְאִמֹתֵינוּ הַשְׁקִיפָה מִמַּעַן קִדְשָׁךְ מִן-הַשָּׁמַיִם וּבָרֶךְ אֶת הַרְעִים הָאֵהוּבִים הַמְשַׁתְּתָפִים יַחַד הַיּוֹם בְּשׂוֹתְפוֹת חַיִּים, וְזַכֶּם שְׂיָשִׁיבוּ לְפָנֶיךָ בְּאַהֲבָה וּבְאַחֻוּהַ בְּשָׁלוֹם וּבְרַעוּת. בְּרוּךְ אַתָּה יי הַטּוֹב וְהַמְטִיב.

The couple exchanges rings and each declares:

- הֲנִי-נָא לִי שׂוֹתֵף חַי, אֵהוּבִי וּמְיוֹדְעִי, בְּעֵינֵי אֱלֹהִים וְאָדָם.

Together they say:

- יְהִי רְצוֹן מִלְפָּנֶיךָ יי, אֱלֹהֵינוּ לְכוֹנֵן אֶת בֵּית חַיֵּינוּ וּלְהַשִּׁיב אֶת שְׂכִינְתוֹ בְּתוֹכֵנוּ.

The couple recites the blessing over the tallit jointly and wraps themselves together into a large tallit (which might be specially prepared for the occasion). The marriage covenant is now read (see p.15).

The following blessings are read:

- בְּרוּךְ אַתָּה יי, אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם, בּוֹרָא פְּרִי הַגֶּפֶן.
- בְּרוּךְ אַתָּה יי, אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם, שֶׁהִפֵּל בְּרָא לְכַבֹּדוֹ.
- בְּרוּךְ אַתָּה יי אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם אֲשֶׁר יָצַר אֶת הָאָדָם בְּצַלְמוֹ, בְּצִלְמֵ דְמוּת תְּבַנְיָתוֹ, וְאָמַר: לֹא-טוֹב הָיִית הָאָדָם לְבִדּוֹ, אֲעָשֶׂה לוֹ עֵזֶר כְּנֶגְדּוֹ. הוֹדִי לִי כִּי-טוֹב כִּי לְעוֹלָם חֲסִדוֹ. בְּרוּךְ אַתָּה יי אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם, שֶׁהִדְוִי וְהִמְטִיב וְהִנְחִי לְזִמְן הַזֶּה.

The rabbi may now offer an additional blessing to the couple:

- אֱלֹהֵינוּ וְאֱלֹהֵי אֲבוֹתֵינוּ וְאִמֹתֵינוּ, בְּרַכְנוּ בְּבִרְכָּה הַמְשַׁלְּשֵׁת בְּתוֹרָה, הַכְּתוּבָה עַל יְדֵי מֹשֶׁה עֲבָדְךָ, הָאֲמוּרָה מִפִּי אֱהָרֹן וּבְנָיו כְּהֹנִים, עִם קִדְשָׁךְ בְּאֲמֹר: יְבָרְכֶךָ יי וְיִשְׁמְרֶךָ. יָאֵר יי פְּנֵיו אֵלֶיךָ וְיַחַנֶּנֶךָ. יִשָּׂא יי פְּנָיו אֵלֶיךָ וְיִשֵּׂם לְךָ שָׁלוֹם.

The couple breaks a glass, and those present exclaim:

- סֶמֶן טוֹב וּמְזֵל טוֹב יְהֵא לָנוּ וּלְכָל יִשְׂרָאֵל!

³⁴ The last three words are said only in a synagogue.

3. Gender-Neutral Translation of Tallit and Three Blessings Ceremony

Welcoming Prayers:

- May those who enter be blessed in the Name of Adonai. (*If the ceremony is held in a synagogue, the rabbi adds: We bless you from within the house of Adonai.*)
- May the One who is supreme in power, blessing, and glory bless these loving companions.

Opening Blessings:

- Praised are You, Adonai our God, who rules the universe, creating the fruit of the vine.
- Our God and God of our Patriarchs and Matriarchs, look down from Your holy abode, from heaven, and bless³⁵ these loving companions who are together participating in a Covenant of life-long partnership. May they dwell before You in love, harmony, peace, and companionship. Praised are You, Adonai, who is good and does good.

Rings Ceremony.

The couple exchanges rings, and each declares:

- May you be for me my life-long partner, my lover, my intimate one, in the eyes of God and human beings.

Together they say:

- May it be Your will, Adonai, our God, to establish our life-long household and to bring Your presence into our lives.

The couple recites the blessing over the tallit jointly and wrap themselves together into a large tallit (which might be specially prepared for the occasion). The marriage covenant is now read (see p.15).

Ceremony of Three Blessings

The following blessings are recited with a cup of wine in hand:

1. Praised are You, Adonai our God, Sovereign of the universe, Creator of the fruit of the vine.
2. Praised are You, Adonai our God, who rules the universe, whose glory is evident in all of creation.
3. Praised are You, Adonai our God, who rules the universe, who created human beings in the divine image, who structured us in the image of God, and who said, "It is not good for a person to live alone, I will make a fitting helper for each one."³⁶ "Give thanks to Adonai, for God is good, God's faithfulness is eternal."³⁷ Praised are You, Adonai, our God, who has kept us alive and sustained us and brought us to this joyous time.

The rabbi may now offer an additional blessing to the couple:

- Our God, and God of our Patriarchs and Matriarchs, bless us with the threefold blessing written in the Torah by Moses Your servant, and pronounced by Aaron and his descendants, *kohanim*, Your

³⁵ The Hebrew here uses the language of Deuteronomy 26:15.

³⁶ Genesis 2:18.

³⁷ Psalms 136:1.

holy people, as it is recorded: "May Adonai bless you and keep you. May Adonai smile on you and be gracious to you. May Adonai turn to you and grant you peace."³⁸

The couple breaks a glass, and those present proclaim:

- May there be good fortune and good luck for us and all Israel!

Section III: Marriage Documents

Pre-Nuptial Agreement (*Tnai Biverit*).

This document is to be completed and signed by the couple and their witnesses prior to the wedding ceremony. A copy shall be kept by the officiating rabbi, with the original returned to the couple together with their other marriage documents.

This is to certify that on the [Hebrew date] day of the [Hebrew month] in the year [Hebrew year], corresponding to the [secular date] of [secular month], [secular year] in [name of jurisdiction], _____ and _____, of their own free will and accord, stipulated the following with respect to the Covenant of Loving Partners that they enter today:

I affirm that this is a mutual covenant and agreement, supported by the continuing affirmation of both parties. Should we choose to part at some future time, just as this covenant has been concluded openly before the Jewish people, so do I commit to severing this bond through a dissolution [*hafarah*] in the fashion ordained by a Jewish court [*Bet Din*]. Notwithstanding, should we be separated for more than six months with the intent by either party to terminate the union, this covenant shall be null and void.

bride/groom

bride/groom

witness

witness

³⁸ Numbers 6:22-26.

Covenant of Loving Partners.

In the presence of the couple, two valid witnesses and other guests, the officiating rabbi reads the Covenant and asks each party to signify acceptance of its terms through the mechanism of קנין, the lifting of a symbolic object such as a pen or kerchief. The witnesses then attest to the mutual commitment by signing the Covenant in Hebrew (and English, if using). This may take place just prior to the wedding ceremony or during the ceremony itself in the place indicated.

ברית אהובות For a Female Couple

ב_ (1) בשבת, ב_ (2) יום לחודש_ (3), שנת חמשת אלפים ושבע מאות ו_ (4) למגןן שאנו מונים כאן ב_ (5) במדינת_ (6) אָמְרוּ ב_ (7) ב_ (7) ב_ (8) ב_ (8) בפני עם ועדה בהצקרה קדושה: יהא ידוע בנה שנקשרו נפשותינו זו בזו בקשרי אהבה ומסירות הדדית, ובכוננתנו בעזרת יי להיות נאמנות זו לזו באופן בלעדי כל-ימי חיינו עלי אדמות, כמו ששנו רבותינו, תקנה אשה חברה לעצמה שתאכל עמה ותשתה עמה ותקרא עמה ותשנה עמה ותגלה לה כל סתריה, סתרי תורה וסתרי דרף ארץ³⁹. אנחנו נשתתף מן-היום הזה והלאה בשיתוף גמור פראוי באושר ובלב שלם ונקים משק בית משתף. נהנה זו לזו רעות אהובות ונוקיר ונכבד ונפרנס ונסעד זו את זו ביושר ובאמונה. בעזרת ה' במעוננו ישרו אהבה ואחנה שלום ורעות ונזכה לטפח יחד את מורשת היהדות, אהבת ישראל וכבוד הבריות.

כל מה שכתוב ומפורש לעיל נאמר ונעשה לפנינו, והכל שריר וקיים.

עד/ה _____ עד/ה _____

ברית אהובים For a Male Couple:

ב_ (1) בשבת, ב_ (2) לחודש_ (3), שנת חמשת אלפים ושבע מאות ו_ (4) למגןן שאנו מונים כאן ב_ (5) במדינת_ (6) אָמְרוּ ב_ (7) ב_ (7) ב_ (8) ב_ (8) בפני עם ועדה בהצקרה קדושה: יהא ידוע בנה שנקשרו נפשותינו זו בזו בקשרי אהבה ומסירות הדדית, ובכוננתנו בעזרת יי להיות נאמנים זה לזה באופן בלעדי כל-ימי חיינו עלי אדמות כמו ששנו רבותינו יקנה אדם חבר לעצמו שיאכל עמו וישתה עמו ויקרא עמו וישנה עמו וישן עמו ויגלה לו כל סתריו, סתרי תורה וסתרי דרף ארץ⁴⁰. אנחנו נשתתף מן-היום הזה והלאה בשיתוף גמור פראוי באושר ובלב שלם ונקים משק בית משתף. נהנה זה לזה רעים אהובים ונוקיר ונכבד ונפרנס ונסעד זה את-זה ביושר ובאמונה. בעזרת ה' במעוננו ישרו אהבה ואחנה שלום ורעות ונזכה לטפח יחד את מורשת היהדות, אהבת ישראל וכבוד הבריות.

כל מה שכתוב ומפורש לעיל נאמר ונעשה לפנינו, והכל שריר וקיים.

עד/ה _____ עד/ה _____

(1) day of week; (2) day of month; (3) Hebrew month; (4) Hebrew year; (5) city name; (6) country/continent; (7) names of the brides/grooms and (8) of their parents.

³⁹ Adapted from *Avot d'Rabbi Natan A*, #8.

⁴⁰ *Avot d'Rabbi Natan A*, #8.

English Covenant of Loving Partners:

On the _____ day of the week, the _____ day of the month of _____ in the year five thousand seven hundred _____, corresponding to the secular date of _____, here in _____ in the country of _____ we, _____ the daughter/son of _____, and _____ the daughter/son of _____, before the people and the congregation make this holy declaration:

“Let it be known that our souls are bound one to the other with bonds of love and mutual devotion, and that it is our intention, with God’s help, to be exclusively faithful to each other all the days of our lives upon this earth. As our Sages taught: *A person should find a partner with whom to eat, drink, read, study, sleep, and share every secret, secrets of Torah and secrets of life.*⁴¹ We shall share from this day a complete partnership, joyfully and wholeheartedly establishing a household in common with moral and financial responsibilities for one another. We shall be loving partners for each other and will cherish, respect, sustain and assist one another in righteousness and faithfulness. With God’s help may our dwelling be filled with love and harmony, peace and companionship, and may we be privileged to nurture together our Jewish heritage, our love for our fellow Jews and the dignity of every creature.”

We, the witnesses, attest that everything that is written and specified above has been done in our presence and is valid and effective.

(Signature) _____, witness

(Signature) _____, witness

⁴¹ Adapted from *Avot d’Rabbi Natan A*, #8.

Section IV

The Dissolution of a Same-Sex Marriage

The biblical text that commands a man who divorces his wife to “write her a book of separation” (Deuteronomy 24:1) discusses heterosexual couples, and the substantial corpus of rabbinic law surrounding the writing and delivery of a *get* (writ of divorce) is likewise designed for such couples, with gender-specific roles for husband and wife. That said, a same-sex couple that has made a solemn and halakhically binding commitment to each other in a public ceremony such as the ones described should, if it proves untenable for them to stay together, have a proper dissolution of their union. The document of dissolution provided below for same-sex male and female marriages severs the agreement that was established in the Covenant and explicitly releases each partner from the bonds of the marriage, just as the traditional *get* includes a document of release.⁴² In secular jurisdictions that recognize same-sex marriages, civil unions, or domestic partnerships, a dissolution of the couple's union in civil law must precede this ceremony.

There is no need to replicate the procedures involving a scribe which the rabbis required for a *get*.⁴³ Thus, the following documents may be filled in, printed, and signed. The signature (*hatimah*) is by the partner presenting the document; as indicated below. When both agree to participate in this proceeding, each should fill out the document and present it to the other. However, in cases where this is not the case, one partner may complete the dissolution document unilaterally. . Witnesses to the signature of the principal are required, following the general requirements of witnesses under Jewish law.⁴⁴ Three copies of each dissolution document should be signed with one original returned to each party, and one forwarded to the Rabbinical Assembly, as described below.

⁴² This *hafarah* (dissolution) is applicable to dissolve the bonds of a same-sex marriage whatever documentary form it may have taken, for these bonds are in existence only by mutual agreement and may be unilaterally dissolved (which was not the case with *kiddushin*). Where the marriage contained a formal personal oath, the rabbi should convene a Bet Din to release the vow before completing the dissolution document.

⁴³ Which the Sages required be written “in his name, in her name, and for the sake of divorce” (see Rema in SA EH, Order of the Get #42).

⁴⁴ Witnesses must be Jewish, not relatives of either party or of each other, and be known as members of their local Jewish community.

נוסח הַפְּרֵת בְּרִית אֲהוּבִים (לשון זכר)

בְּ בִשְׁבַת, לַחֲדָשׁ _____, שְׁנַת חֲמִשָּׁת אֲלָפִים וּשְׁבַע מֵאוֹת וְ_____ לְמִנְיָן שְׁאֲנוּ מוֹנִים כָּאֵן בְּ _____ בְּמִדְיַת _____ אֲנִי _____, הַמְּכֻנָּה _____, עֲמַדְתִּי בְּרִצּוֹן חֲפְזִי, בְּלֹא אֹנֶס וּבְלֹא דוֹחַק, וּפְטָרְתִּיךָ, _____ הַמְּכֻנָּה _____, שְׁהֵייתִי רְעִי עַד עֵתָה, מִן הַבְּרִית שֶׁהִתְקַיְּמָה בֵּינֵינוּ. הָרִי רְשׁוֹת בְּיָדְךָ לְכָרוֹת בְּרִית אֲהוּבִים אַתְּרַת כְּרִצּוֹנְךָ. וְזֶה יִהְיֶה לְךָ לְאוֹת הַפְּרֵת הַבְּרִית שֶׁהִתְקַיְּמָה בֵּינֵינוּ לְשַׁעֲבֵר בְּעֵינֶיךָ וּבְעֵינֵי אֱלֹהִים וְאָדָם.

_____ חתימה
_____ עד/ה
_____ עד/ה

נוסח הַפְּרֵת בְּרִית אֲהוּבִוֹת (לשון נקבה)

בְּ בִשְׁבַת, לַחֲדָשׁ _____, שְׁנַת חֲמִשָּׁת אֲלָפִים וּשְׁבַע מֵאוֹת וְ_____ לְמִנְיָן שְׁאֲנוּ מוֹנִים כָּאֵן בְּ _____ בְּמִדְיַת _____ אֲנִי _____, הַמְּכֻנָּה _____, עֲמַדְתִּי בְּרִצּוֹן חֲפְזִי, בְּלֹא אֹנֶס וּבְלֹא דוֹחַק, וּפְטָרְתִּיךָ, _____ הַמְּכֻנָּה _____, שְׁהֵייתִי רְעִיתִי עַד עֵתָה, מִן הַבְּרִית שֶׁהִתְקַיְּמָה בֵּינֵינוּ. הָרִי רְשׁוֹת בְּיָדְךָ לְכָרוֹת בְּרִית אֲהוּבִים אַתְּרַת כְּרִצּוֹנְךָ. וְזֶה יִהְיֶה לְךָ לְאוֹת הַפְּרֵת הַבְּרִית שֶׁהִתְקַיְּמָה בֵּינֵינוּ לְשַׁעֲבֵר בְּעֵינֶיךָ וּבְעֵינֵי אֱלֹהִים וְאָדָם.

_____ חתימה
_____ עד/ה
_____ עד/ה

Dissolution of the Covenant of Loving Partners

On the _____ day of the week, the _____ day of the month of _____ in the year five thousand seven hundred _____, corresponding to the secular date of _____, here in _____ in the country of _____, I, _____ the daughter/son of _____, arose of my own free will, without coercion or pressure, and have released you _____ the daughter/son of _____, who had been my loving partner until now, from the covenant that had been between us. You are hereby permitted to establish any other such covenant that you desire. This shall be the formal dissolution of the covenant that had existed between us in your eyes, and in the eyes of God and all people.

Procedure for Delivery

Ideally, where the separation is mutually agreed, each member of the partnership will fill out a dissolution form and deliver it personally to his or her partner. Where the partners exchange dissolution documents mutually, each should say (in Hebrew or English or any other language that is common to them):

לשון זכר:

הַתְּקַבֵּל הַפְּרָה זֶה. וְזֶה יִהְיֶה לְאוֹת הַפְּרֵת הַבְּרִית שֶׁהִתְקַיְּמָה בֵּינֵינוּ לְשַׁעֲבֵר בְּעֵינֶיךָ וּבְעֵינֵי אֱלֹהִים וְאָדָם.

לשון נקבה:

הַתְּקַבְּלִי הַפְּרָה זֶה. וְזֶה יִהְיֶה לְאוֹת הַפְּרֵת הַבְּרִית שֶׁהִתְקַיְּמָה בֵּינֵינוּ לְשַׁעֲבֵר בְּעֵינֶיךָ וּבְעֵינֵי אֱלֹהִים וְאָדָם.

“Here is the document of dissolution. This shall be the formal dissolution of the covenant that had existed between us in your eyes, and in the eyes of God and all people.”

The person giving the document shall then place it in the hands of his/her partner. Where mutual hafarot are contemplated, each should present the hafarah they have prepared to the other. Where no exchange is contemplated, a copy should be sent to the absent partner. While no rabbinic presence is necessary to effectuate this dissolution, the separating partners may wish to do so before their rabbi. In that case, the rabbi might serve as one of the witnesses to the hafarah and issue each of them, as well, a letter attesting to the performance of the ritual in his or her presence. In all cases the second copy should be sent to the Registry of Dissolutions of the Rabbinical Assembly, 3080 Broadway, NY, NY 10027, along with a copy of the Brit Ahuvim/Ahuvot if it is available or a statement of the date and place in which the Brit Ahuvim/Ahuvot was entered into, and the officiant thereof.⁴⁵ Because of the significance of these documents, all mail (paper or electronic) should be registered, return receipt requested. The third copy should be retained by the principal.

Section V: Looking Forward

The passage of more than five years since our responsum “[Homosexuality, Human Dignity and Halakhah](#),” was adopted has seen many milestones regarding gay rights in secular law and in Conservative Jewish life. More American states now permit the civil marriage of gay men and lesbians, and the U.S. Supreme Court may eventually rule about the legality of denying gay men and lesbians the right to marry anywhere in the United States. In Israel and around the world, the right of gay and lesbian couples to have their committed relationships legally recognized is rapidly expanding. We hope that the ceremonies and documents in this Appendix will be welcomed by rabbis and couples around the Jewish world as one way to invest these important life cycle events with Jewish meaning and holiness and thus further make our gay and lesbian members fully welcome within the Conservative/Masorti community.

⁴⁵ Precise administrative details will be worked out by the RA.